

04-712 LINCOLN PROPERTY CO., ET AL. V. CHRISTOPHE ROCHE, ET UX.

DECISION BELOW: 373 F.3d 610 (4th Cir. 2004)

QUESTIONS PRESENTED

1. Whether an entity not named or joined as a defendant in the lawsuit can nonetheless be deemed a "real party in interest" to destroy complete diversity of citizenship in a case removed from state court under 28 U.S.C. § 1441(b).
2. Whether a limited partnership's citizenship for diversity subject-matter jurisdiction purposes is determined not by the citizenship of its partners but by whether its business activities establish a "very close nexus" with the state.

Cert. Granted 2/28/05